



Official Receiver's Office Performance Pledge 2024-2025

Introduction

This booklet sets out our achievements in meeting the performance pledges in 2023-2024 and outlines our plans to improve our services in 2024-2025. It also explains the steps you can take if you want to make any suggestions, complaints or comments about our services.

Our Responsibilities

We are responsible for the orderly administration of the insolvency estates of:

- companies being wound up by order of the Court under the provisions of the Companies (Winding Up and Miscellaneous Provisions) Ordinance; and
- individuals or partners of business made bankrupt by order of Court under the provisions of the Bankruptcy Ordinance.

More information on our functions is available on our homepage at <https://www.oro.gov.hk>.

2023-2024 Achievements and 2024-2025 Performance Targets¹

| <i>Service</i> | <i>Standard Response Time</i> | <i>2023-2024 Achievement (%)</i> | <i>2024-2025 Target (%)</i> |
|---|---|----------------------------------|-----------------------------|
| (1) <i>Counter enquiry</i> | Within 10 minutes | 100% | 100% |
| (2) <i>Application for bankruptcy search and compulsory winding-up search</i> | | | |
| <p>With effect from 2 November 2020, public search services for bankruptcy and compulsory winding-up records are provided online only. Members of the public can make public search online via GovHK. The search reports will be displayed instantly online upon fee payment.</p> | | | |
| (3) <i>Application for Certificate of Non- bankruptcy</i> ² | Certificate issued within 2 working days from receipt | 100% | 100% |
| (4) <i>Lodging Proof of Debt</i> | | | |
| (a) Issuing a receipt for Proof of Debt lodged in person | Within 10 minutes | 100% | 100% |
| (b) Obtaining assistance of officers to complete a Proof of Debt | Within 30 minutes | 100% | 100% |
| (5) <i>Request for a copy of Statement of Affairs, subject to payment of photocopying fees</i> | In 3 working days from payment of photocopying fees | 100% | 100% |

¹ On implementation of five-day week from 1 July 2006, with a view to maintaining our service standard, we undertake to clear genuine urgent requests, which are originally due on Saturday, by Friday as far as practicable.

² With effect from 25 January 2021, application for "Certificate of Non-Bankruptcy" can be made online via GovHK.

| <i>Service</i> | <i>Standard Response Time</i> | <i>2023-2024 Achievement (%)</i> | <i>2024-2025 Target (%)</i> |
|--|---|----------------------------------|-----------------------------|
| (6) <i>Distribution of dividend</i> | | | |
| (a) Distribution of dividend or interim dividend | Within 9 months from the date when the distribution is possible | 100% | 100% |
| (b) Payment of dividend by mail | Dividend cheques sent in 5 working days from the date of payment | 100% | 100% |
| (7) <i>Holding a meeting of creditors in a non-summary case</i> | | | |
| (a) Winding-up case | Making a decision to hold a meeting within 8 weeks from the date of winding-up order | 100% | 90% |
| | Holding a meeting within 12 weeks from the date of winding-up order | 94.83% | 90% |
| (b) Bankruptcy case | Making a decision to hold a meeting within 12 weeks from the date of bankruptcy order | 98.88% | 98% |
| | Holding a meeting within 16 weeks from the date of bankruptcy order | 99.34% | 100% |

| <i>Service</i> | <i>Standard Response Time</i> | <i>2023-2024 Achievement (%)</i> | <i>2024-2025 Target (%)</i> |
|---|--|----------------------------------|-----------------------------|
| (8) <i>Processing written fund withdrawal requests from outside liquidators by the due dates, provided the specified notification periods are followed</i> | | | |
| (a) Pool Investment Scheme | | | |
| (i) Amount less than \$10 million | Funds released in 3 working days from approval by Official Receiver (OR) | 100% | 100% |
| (ii) amount between \$10 million and \$15 million | Funds released in 5 working days from approval by OR | 100% | 100% |
| (iii) amount between \$15 million and \$20 million | Funds released in 10 working days from approval by OR | 100% | 100% |
| (b) Funds invested separately | In 2 working days before maturity of fixed deposit | 100% | 100% |
| (9) <i>Processing invoices including liquidators' bills and arranging payment</i> | | | |
| Processing invoices and arranging payments to vendors including liquidators' bills | Within 30 calendar days upon receipt of invoice | 99.85% | 99% |
| (10) <i>Putting summary cases with insufficient assets for distribution on release programme</i> | Within 12 months from the date of bankruptcy/ winding up order | 99.57% | 97% |

Meeting the Performance Targets

In 2023-2024, the court made 7 798 insolvency orders, an increase of 18.42% compared with 6 585 orders in 2022-2023.

The caseload was still high. In spite of the heavy workload, we have made concerted effort towards meeting our performance targets.

Service Improvements in 2023-2024

We have launched an Electronic Submission System (ESS), which offers an alternative for providing public services or information online to, and receiving information or documents in electronic form from members of the public and insolvency practitioners through the Internet. Phase 1 of ESS, which has already been rolled out in 2023-24, covers electronic submission of specified forms and applications from bankrupts and insolvency practitioners, including, inter alia, Annual Statement of Earnings and Property Acquired and Application for No-Objection Letter to issuance of Certificate of Discharge to be submitted by bankrupts in the cases where the Official Receiver acts as the trustee.

We have provided step-by-step guide in graphical formats on e-submission of Annual Statement of Earnings and Property Acquired and Application for No-Objection letter to issuance of Certificate of Discharge via ESS in addition to the existing FAQs at our website to facilitate wider adoption of our electronic services.

To simplify the steps and for more easy access of the information by the public, we have refined the layout of “What’s New” and “Announcement” on ORO website to facilitate the public to retrieve information by years.

Planned Service Improvements in 2024-2025

We are taking steps towards developing Phase 2 of ESS to cover

submissions of additional documents in electronic form by members of public and insolvency practitioners and to conduct additional transactions electronically.

To facilitate members of public to access our service and for better user experience, we are planning to implement the following new electronic services or initiatives:

- ◆ a pilot project for development of digital letter of authorisation for opening / maintaining savings account by bankrupts
- ◆ a new service to allow creditors / contributories to submit proxy forms online to appoint the Official Receiver to attend a meeting of creditors / contributories and vote on their behalf via the GovHK Portal (applicable to the cases where the Official Receiver is the trustee / liquidator)
- ◆ a new step-by-step guide for on-line booking of attestation service in graphical format in addition to the existing FAQs at our website

Effective Monitoring

We closely monitor our performance against the pledges we have made.

The Official Receiver's Office Services Advisory Committee, a customer liaison group comprising representatives from service users was established in June 1994 to provide customer input and suggest improvements to our services. The Committee meets quarterly and helps monitor our service quality and standards. They have contributed to a number of areas including:

- ◆ contracting out of winding-up/bankruptcy cases and preliminary examination in bankruptcy cases to the private sector
- ◆ review of complaints received
- ◆ proposed legislative amendments

Further Information

The following information pamphlets on insolvency procedures are available at our office or on our homepage at <https://www.oro.gov.hk>:

- (a) Simple Guide on Bankruptcy
- (b) Simple Guide on Compulsory Winding-up of Companies
- (c) Simple Guide on Individual Voluntary Arrangement
- (d) Debtor's Bankruptcy Petition Procedural Guide³
- (e) Bankruptcy:
 - i) The Main Processing Stages
 - ii) How to get a certificate of discharge
 - iii) Your Duties as a Bankrupt
 - iv) Your Rights as a Creditor
- (f) Winding-up of a Company by the Court:
 - i) The Main Processing Stages
 - ii) Your Rights as a Creditor
 - iii) Your Duties as a Company Director
- (g) Individual Voluntary Arrangement: The Main Processing Stages
- (h) What you need to know about Bankruptcy
- (i) Frequently Asked Questions about Individual Voluntary Arrangement
- (j) Reasonable Domestic Needs of a Bankrupt and his Family
- (k) Guide on Completion of Annual Statement of Earnings and Property Acquired

³ This Guide may also be purchased at \$18.00 per copy over our Counter on 10/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong

General Enquiries

General enquiries on our services can be made in the following ways:

By Telephone: 2867 2448

(If you call beyond office hours, you will hear a recorded message asking you to leave a message with your name and telephone number.)

By Fax: 3105 1814

In Person: 10/F, High Block,
Queensway Government Offices,
66 Queensway, Hong Kong.

By Email: oroadmin@oro.gov.hk

Comments, Complaints and Suggestions

There may be occasions that despite our efforts, we are unable to provide the services within the times specified or deal with your application/request to your satisfaction. If you want to make comments, complaints or suggestions, you are welcome to write to us at the address below:

Departmental Secretary,
Official Receiver's Office,
10/F, High Block,
Queensway Government Offices,
66 Queensway,
Hong Kong.

or fax us at 3105 1814 or email us at oroadmin@oro.gov.hk. You can also make your comments, complaints or suggestions orally to the Senior Clerical Officer (General Registry) at 2867 2447. We shall give you a response within 10 days, as far as practicable.

If you wish to contact the responsible insolvency case officer, you may get his/her contact information through the following hyperlink of our website:

[Contact Responsible Case Officers](#)

Appeals

If after using any of the above channels for comments, complaints or suggestions, you still consider that your case has not been dealt with to your satisfaction, you are welcome to write to the Official Receiver at 10/F, High Block, Queensway Government Offices, 66 Queensway, Hong Kong.

MISSION STATEMENT

The Mission of the Official Receiver's Office is to ensure that the insolvency service it provides in Hong Kong is of a high quality on par with International Standards and that the legislation is commensurate with the objective of keeping Hong Kong to the forefront as a major International Financial Centre.

To fulfill our mission, we are committed to maintaining a high standard in insolvency administration when the Official Receiver is appointed to act as trustee/liquidator and also to effectively monitor the conduct of private sector insolvency practitioners by:

- protecting and realising the assets of insolvent estates, adjudicating the claims of creditors and distributing the proceeds to preferential and ordinary creditors in an efficient manner and as soon as practicable;
- investigating the conduct and affairs of bankrupts, directors and officers of insolvent companies;
- prosecuting persons for insolvency offences and applying for disqualification of directors, where appropriate;
- monitoring the conduct of private sector insolvency practitioners in compulsory liquidations and bankruptcies to ensure that they carry out their duties as effectively and expeditiously as possible and, where necessary, taking action against those who are negligent or fraudulent in their case work, including disqualification proceedings;
- ensuring that all private sector insolvency practitioners in compulsory and voluntary liquidations pay funds into the Companies Liquidation Account as soon as practicable after the obligation to do so arises and managing the investment of such funds; and
- keeping under review and proposing any necessary changes to insolvency policy, legislation and practice.